



Control Number: 51415



Item Number: 213

Addendum StartPage: 0

SOAH DOCKET NO. 473-21-0583  
PUC DOCKET NO. 51415

APPLICATION OF SOUTHWESTERN  
ELECTRIC POWER COMPANY FOR  
AUTHORITY TO CHANGE RATES

§  
§  
§

BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS

RECEIVED  
2021 MAR -1 PM 12:54  
PUBLIC UTILITY COMMISSION  
CLERK

EAST TEXAS ELECTRIC COOPERATIVE, INC.  
AND  
NORTHEAST TEXAS ELECTRIC COOPERATIVE, INC.'S  
SECOND REQUEST FOR INFORMATION TO  
SOUTHWESTERN ELECTRIC POWER COMPANY

**TO:** Southwestern Electric Power Company, by and through its attorneys of record, William Coe , Kerry McGrath, and Patrick Pearsall, Duggins Wren Mann & Romero, LLP, PO Box 1149, Austin, TX 78767; and

Melissa Gage and Leila Melhem, American Electric Power Service Corporation, 400 West 15<sup>th</sup> Street, Suite 1520, Austin, TX 78701

**NOW COMES** East Texas Electric Cooperative, Inc. ("ETEC"), and Northeast Texas Electric Cooperative, Inc. ("NTEC") by and through its attorneys of record, and requests that Southwestern Electric Power Company ("SWEPCO") provide all the information requested and to answer under oath the questions propounded herein. The questions should be answered in the order in which they are asked and in sufficient detail to fully present all of the relevant facts.

**Instructions**

Please copy the question immediately above the answer to each and indicate at the bottom of each answer the name and job title of the person, other than counsel, chiefly responsible for preparation of the answer. Also state the name of the witness in this proceeding who will sponsor the answer to the question and who can vouch for the truth and veracity of the response given.

If any question appears confusing, please request clarification from the attorneys of record.

If SWEPCO asserts that any documents responsive to any request have been discarded or destroyed and are thus not available, state when, and explain why any such document was destroyed or discarded and identify the person directing the destruction or discarding; provide all documents relating to any criteria or procedure of the company under which such document was discarded or destroyed.

If SWEPCO assets documents are under claim of privilege, please furnish a list identifying each document for which privilege is claimed, together with the following information: date, sender, recipient, recipient of copies, subject matter of document, and the basis upon which such privilege is claimed. Please also further support the privilege that you claim, with reference to applicable decisions and Attorney General Opinions.

If SWEPCO assets documents are protected from disclosure under the protective order, you must specifically state the provision of the Government Code that applies to the particular documents sought, and explain why the exception applies. A contention that information is excepted from disclosure in accordance with Section 552.101 should specifically identify the law, statute, or judicial decision that makes the information confidential. A contention that a document is protected under Section 552.104 or Section 552.110(b) requires a showing of some actual or specific harm in a particular competitive situation; a generalized allegation that a competitor will gain an unfair advantage will not suffice. ORD 541 at 4 (1990); ORD 661 at 5-6 (1999). A contention that a document is confidential under 552.110(a) should show that the information meets the definitions of a trade secret. ORD 552 at 2 (1990); ORD 402 (1983); Section 757, Restatement of Torts. as adopted by the Texas Supreme Court in *Hyde Corp. v. Huffines*, 314 S.W.2d 763, 776 (Tex.), *cert. denied*, 358 U.S.898 (1958). See also OR2002-3953 (2002).

These questions and requests are continuing in nature and should there be a change in circumstances, which would modify or change an answer supplied, then in such event you are requested to change or modify such answer under oath and to submit such changed answer as a supplement to your original answer.

### **DEFINITIONS**

For the purpose of this request for information, the expressions set forth below shall have the following meanings:

(1) “SWEPCO” or “the Company” refers to Southwestern Electric Power Company and its affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

(2) “AEP” refers to American Electric Power, and its affiliates, subsidiaries, and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representative, employees or other persons.

(3) “You,” “your,” “yours,” and “Company” refer collectively to SWEPCO and AEP, including its officers, directors, agents, attorneys, consultants, employees, representatives, any other person or entity acting or purporting to act on their behalf.

(4) “Application” refers to the Application and supporting testimony, schedules and other documents submitted by SWEPCO and AEP in PUC Docket No. 51415.

(5) “Document” and “documents” are used in their broadest sense to include, by way of illustration and not limitation, all written or graphic matter of every kind and description whether printed, produced or reproduced by any process whether visually, magnetically, mechanically, electronically or by hand, whether final or draft, original or reproduction, whether or not claimed to be privileged or otherwise excludable from discovery, and whether or not in your actual or constructive possession, custody, or control. The terms include writings, correspondence, telegrams, memoranda, studies, reports, surveys, statistical compilations, notes, calendars, tapes, computer disks, data on computer drives, including, but not limited to memoranda, notes, analyses, minutes, records, photographs, correspondence, telegrams, electronic mail (email), cards, computer storage device or any other media, recordings, contracts, agreements, invoices, licenses, diaries, journals, accounts, pamphlets, books, ledgers, publications, microfilm, microfiche, drafts, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, contracts, agreements, books, pamphlets, periodicals, appointment calendars, records and recordings of oral conversations, work papers, observations, commercial practice manuals, reports and summaries of interviews, reports of consultants, appraisals, forecasts, tape recordings, or any form of recording that is capable of being transcribed into written form, and any other data compilations from which information can be obtained and translated, by you if necessary, into reasonably usable form. “Document” or “documents” shall also include every copy of a document where the copy contains any commentary or notation of any kind that does not appear on the original or any other copy.

(6) The terms “and” and “or” shall be construed both disjunctively and conjunctively as necessary to make the request inclusive rather than exclusive.

(7) “Each” shall be construed to include the word “every” and “every” shall be construed to include the word “each.”

(8) “Any” shall be construed to include “all” and “all” shall be construed to include “any.”

(9) The term “concerning” or one of its reflections, includes the following meanings: relating to; referring to; pertaining to; regarding; discussing; mentioning; containing; reflecting; evidencing; describing; showing; identifying; providing; disproving; consisting of; supporting; contradicting; in any way legally, logically or factually connected with the matter to which the term refers; or having a tendency to prove or disprove the matter to which the term refers.

(10) The term “including” or one of its inflections, means and refers to “including but not limited to.”

(11) “Relate to,” “regarding,” “concerning” and similar terms mean addressing, analyzing, referring, discussing, mentioning in any way, explaining, supporting, describing, forming the basis for, or being logically or causally connected in any way with the subject of these discovery requests.

(12) “Provide the basis,” “state the basis,” or “explain the basis” means provide all information on or describe every fact, statistic, inference, estimate, consideration, conclusion, study, and analysis known to SWEPCO/AEP that was relied upon in support of the expressed contention, proposition, conclusion or statement.

(13) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall be also taken to mean and include the plural.

(14) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.

(15) If any document is withheld under any claim of privilege, please furnish a list identifying each documents for which a privilege is claimed, together with the following information: date, sender, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

(16) If the response to any request is voluminous, please provide a detailed index of the voluminous material, pursuant to PUC PROC. R. 22.144(h)(4).

(17) If the information requested is included in previously furnished exhibits, workpapers, and responses to other discovery inquiries or otherwise, in hard copy or electronic format, please furnish specific references thereto, including Bate Stamp page citations and detailed cross-references.

(18) “Commission” and “PUC” means the Public Utility Commission of Texas; and

(19) “Staff” means the professional staff of the Public Utility Commission of Texas.

The requests for information are set forth on the attached list.

Respectfully Submitted,

/s/ Jacob Lawler

Mark C. Davis  
State Bar No. 05525050  
Adrianne M. Waddell  
State Bar No. 24098556  
Jacob J. Lawler  
State Bar No. 24076502  
**HOLLAND & KNIGHT, LLP**  
111 Congress Avenue, Suite 540  
Austin, Texas 78701  
(512) 472-1081 OFFICE  
(512) 472-7473 FAX

William H. Burchette  
DC Bar No. 957308  
W. Patrick Burchette  
DC Bar No. 1010944  
F. Alvin Taylor  
DC Bar No. 468545  
**HOLLAND & KNIGHT, LLP**  
800-17<sup>th</sup> Street, N.W., Suite 1100  
Washington, DC 20006  
(202) 955-3000 OFFICE  
(202) 955-5564 FAX

**ATTORNEYS FOR EAST TEXAS ELECTRIC COOPERATIVE, INC.  
AND  
NORTHEAST TEXAS ELECTRIC COOPERATIVE, INC.**

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document, **ETEC/NTEC's First Request For Information to Southwestern Electric Power Company**, was hand delivered, electronic transmission, faxed and/or mailed this 1st day of March 2021, by First Class, U.S. Mail, postage pre-paid to all parties of record.

/s/ Jacob Lawler

Jacob Lawler

**SOAH DOCKET NO. 473-21-0583  
PUC DOCKET NO. 51415**

<b>APPLICATION OF SOUTHWESTERN ELECTRIC POWER COMPANY FOR AUTHORITY TO CHANGE RATES</b>	<b>§ § §</b>	<b>BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS</b>
---	----------------------	---

**EAST TEXAS ELECTRIC COOPERATIVE, INC.  
AND  
NORTHEAST TEXAS ELECTRIC COOPERATIVE, INC.'S  
SECOND REQUEST FOR INFORMATION TO  
SOUTHWESTERN ELECTRIC POWER COMPANY**

- 2-1 Please provide working electronic files used to determine and/or support the functionalization of all Hurricane Laura related costs included in SWEPCO's proposed revenue requirement on a total system basis and by jurisdiction. Include copies of all spreadsheets, documents, workpapers, and analyses.
- 2-2 Please refer to Schedule P-1.1, page 5 of 25. Describe and provide the amount of all major causes of the FERC wholesale revenue surplus amount of \$8,239,877 shown on line 49.
- 2-3 Please refer to Schedule P-2, page 1 of 25, line 9. Describe all amounts included as "non-eligible" fuel expenses in Account 501. Also provide copies of all documents, studies, electronic files and workpapers that support and/or determine the amounts.
- 2-4 Please refer to Schedule P-2, page 2 of 26, line 17. Describe and list the amounts included on line 17 as "5757-SPP Admin-11 AM & SC. Also, explain the reasons for the jurisdictional allocation methodology.
- 2-5 Please refer to Schedule P-3, page 2 of 25, column (7). Provide all electronic files, maps, one-line diagrams, analysis, studies, documents, and workpapers that determine and support the amounts on lines 2 through 20 of column (7).
- 2-6 Please describe the items included in rate base as intangible plant. For each item, provide the test year plant amount. In addition, describe and support the methodology used to functionalize intangible plant to the production, transmission, and distribution functions.
- 2-7 Please refer to Schedule P-3, page 4 of 25, line 37. Explain how and why "Sabine Mine Closing" amount was directly assigned to the jurisdictions. Also, describe to basis for the total amount of \$64,960,236.
- 2-8 Please refer to Schedule P-11. Provide a working electronic copy of the Distribution Plant Study referred to in footnote (2).

- 2-9 Please refer to Schedule P-4, page 2 of 130. Explain and support why the amount of Miscellaneous Distribution expenses booked to Account No. 588 (\$7,788,799) is approximately 69% of the total test year distribution operations expenses (\$11,275,762). Provide a list of all major expenses included in Account No. 588 that exceeded \$100,000. For each item listed, provide the amount, a description of the expense, and support for functionalizing the amount to primary and secondary based on distribution plant.
- 2-10 Please refer to the direct testimony of SWEPCO witness Michael Baird, page 13, lines 14-20, and page 31, lines 4-13. Please explain and support how the \$1,689,700 is functionalized to generation, transmission and distribution, and how the distribution amount is further functionalized to primary and secondary.